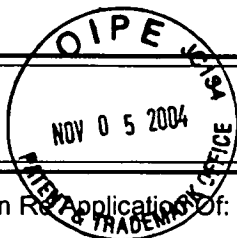


FW



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
3818.02-5

In Re Application Of: ALAN BRUCE MONTGOMERY, ET AL.

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|--------------|--------------------|--------------|----------------|------------------|
| 10/613,636 | JULY 3, 2003 | HAGHIGHATIAN, MINA | 23308 | 1616 | 4624 |

Title: INHALABLE AZTREONAM LYSINATE FORMULATION FOR TREATMENT
AND PREVENTION OF PULMONARY BACTERIAL INFECTIONS

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

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in the above identified application.

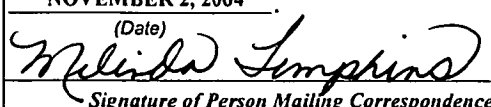
- ☐ No additional fee is required.
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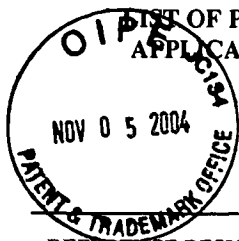

Signature

Dated: NOVEMBER 2, 2004

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| | |
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FOR PTO-1449 (Modified)

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APPLICANTS INFORMATION DISCLOSURE
STATEMENT

SUPPLEMENTAL 3

(Use several sheets if necessary)

ATTY. DOCKET NO.

3818.02-2D1

SERIAL NO.

10/613,639

APPLICANT : ALAN BRUCE MONTGOMERY

FILING DATE : JULY 3, 2003

GROUP 1616

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
|------------------|----|-----------------|---|---|---|---|---|---|--|------------|--------------------------|-------|----------|----------------------------|----|
| | A1 | 4 | 7 | 7 | 5 | 6 | 7 | 0 | | 10/4/1988 | SYKES, ET AL. | 514 | 210 | 1/19/1981 | |
| | B1 | 4 | 5 | 7 | 2 | 8 | 0 | 1 | | 2/25/1986 | MATSUO, DECEASED, ET AL. | 260 | 245.4 | 5/31/1983 | |
| | C1 | 4 | 6 | 7 | 3 | 7 | 3 | 9 | | 6/16/1987 | MATSUO, DECEASED, ET AL. | 540 | 355 | 9/18/1985 | |
| | D1 | 4 | 9 | 4 | 6 | 8 | 3 | 8 | | 8/7/1990 | FLOYD, ET AL. | 514 | 210 | 7/28/1986 | |
| | E1 | 4 | 8 | 8 | 8 | 9 | 9 | 8 | | 12/26/1989 | BUZZA, ET AL. | 73 | 864.21 | 5/17/1989 | |
| | F1 | 5 | 9 | 9 | 4 | 3 | 4 | 0 | | 11/30/1999 | MAITI, ET AL. | 514 | 192 | 8/29/1997 | |
| | | DOCUMENT NUMBER | | | | | | | | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | | | | | | | | YES | NO |
| | L1 | 0 | 2 | 9 | 7 | 5 | 8 | 0 | | 1/20/1999 | EP | 417 | 12 | X | |

OTHER

ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|--|
| | P1 | Gerald C. Smaldone, et al., Aerosolized Antibiotics: Current and Future, <i>Respiratory Care</i> , 45/6:667-675 (June 2000). |
| | Q1 | Thomas G. O'Riordan, MD, Inhaled Antimicrobial Thereapy: From Cystic Fibrosis to the Flu, <i>Respiratory Care</i> , 45/7:836-845 (July 2000). |
| | R1 | Robert G. Bell, et al., Stability of Intravenous Admixtures of Aztreonam and Cefoxitin, Gentamicin, Metronidazole, or Tobramycin, <i>American Journal of Hospital Pharmacy</i> , 43:1444-1453 (June 1986). |
| | S1 | Michael J. James, et al., Stability of Intravenous Admixtures of Aztreonam and Ampicillin, <i>American Journal of Hospital Pharmacy</i> , 42:1095-1100 (May 1985). |
| | | |
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| | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.